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TERMINAL DISCLAIMER TO OBVIATE A PROVISIONAL DOUBLE PATENTING REJECTION OVER A PENDING "REFERENCE" APPLICATION	Docket Number (Optional) 559662000104

In re Application of: Bruce Joseph ROSER

Application No.: 10/681,948

Filed: October 8, 2003

For: DRIED BLOOD FACTOR COMPOSITION COMPRISING TREHALOSE

The owner, Quadrant Drug Delivery Limited, of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application which would extend beyond the expiration date of the full statutory term of U.S. Patent No. 6,649,386 or of any patent granted on pending **reference** Application Numbers 09/888,734 filed 25 June 2001; 10/658,219 filed 8 September 2003; and 10/679,723 filed 6 October 2003, as such term is defined in 35 U.S.C. 154 and 173, and as the term of said patent or of said **reference** applications may be shortened by any terminal disclaimer filed prior to the grant of any patent on the pending **reference** applications. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and any said patent or patent granted on the **reference** applications are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 and 173 of said patent or any patent granted on said **reference** applications, "as the term of said patent or of any patent granted on said **reference** application may be shortened by any terminal disclaimer filed prior to the grant of any patent on the pending **reference** application," in the event that: said patent or any patent granted on the pending **reference** applications: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as shortened by any terminal disclaimer filed prior to its grant.

Further, the owner does not disclaim any right to an extension of the term of any patent issuing from the instant application under 35 U.S.C. §§ 155-156 or adjustment of patent term pursuant to 35 U.S.C. § 154(b) or pursuant to any other subsequently enacted public law or act which provides for extension of term of a patent.

Check either box 1 or 2 below, if appropriate.

1. ☐ For submissions on behalf of a business/organization (e.g., corporation, partnership, university, government agency, etc.), the undersigned is empowered to act on behalf of the business/organization.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

2. ☒ The undersigned is an attorney or agent of record. Reg. No. 29,959

/Kate H. Murashige/ — Signature
March 13, 2007 — Date

Kate H. Murashige — Typed or printed name

(858) 720-5112 — Telephone Number

☒ Terminal disclaimer fee under 37 CFR 1.20(d) is included.

*Statement under 37 CFR 3.73(b) is required if terminal disclaimer is signed by the assignee (owner).
Form PTO/SB/96 may be used for making this statement. See MPEP § 324.

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